

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

LINDA R. PRUITT

PLAINTIFF

v.

CIVIL NO. 06-3012

JO ANNE B. BARNHART, Commissioner
Social Security Administration

DEFENDANT

J U D G M E N T

For reasons stated in a memorandum opinion of this date, we hereby grant defendant's motion to remand, reverse the decision of the Commissioner, and remand the case for further consideration pursuant to sentence four of 42 U.S.C. § 405(g). **The parties have sixty days from entry of the judgment on the docket in which to appeal.**

If plaintiff wishes to request an award of attorney's fees and cost under the Equal Access to Justice Act (EAJA) 28 U.S.C. § 2412, an application may be filed up until 30 days after the judgment becomes "not appealable" i.e., 30 days after the 60-day time for appeal has ended. *See Shalala v. Schaefer*, 509 U.S. 292, 296, 113 S.Ct. 2625 (1993); 28 U.S.C. §§ 2412(d)(1)(B), (d)(2)(G).

IT IS SO ORDERED AND ADJUDGED this 6th day of November 2006.

/s/ Beverly Stites Jones
HON. BEVERLY STITES JONES
UNITED STATES MAGISTRATE JUDGE